



BOARD OF DIRECTORS
CONFERENCE CALL MEETING
MINUTES

Date: Monday May 7, 2018

Time: 6:00 p.m. (EST)

Acting Chair: Dr. Jill Rosenthal

Members Present (Officer): Greg Nazareth, Treasurer

Members Present (Directors): Dr. Samir Vakil, Dr. Lee Ann Brown, Dr. Daniel Gesek, Dr. Anthony Silvagni and the Hon. Al Nienhuis

Members Absent (Directors): Angela Nelson and Sally West

Staff: Robert Macdonald, Executive Director

Guest: Jean D'Aprix, Chief Operating Officer, Professional Resource Network

Call to Order

The acting chair called the PDMP Foundation Board of Directors conference call meeting to order at 6:00 p.m., Monday May 7, 2018.

Roll Call/Sunshine Law

Mr. Macdonald provided the statement regarding the foundation operating under the state sunshine law. Following roll call he announced that a quorum was present.

Introductions

The chair called for any guests to announce themselves. Jean D'Aprix, Chief Operating Officer, Professional Resources Network, Fernandina Beach participated on the call.

Approval of Minutes of Last Meeting (February 20, 2018)

The acting chair called for the approval of the Board of Directors minutes from the February 20, 2018 conference call. A motion was made by Sheriff Nienhuis and seconded by Dr. Brown to approve the minutes as distributed. The acting chair hearing no request for discussion called for a vote on the motion and it was adopted unanimously.

Additional Agenda Items

The chair called for any additional agenda items. None were added.

Report of the Chair

Dr. Rosenthal announced that in lieu of the resignations of Dave Bowen and Karen Bailey since the last board conference call that the executive committee designated the Secretary as acting chair for the meeting. She said that elections for officers for FY 2018-2019 would be held at the board of directors annual meeting in July.

Treasurer's Report

Mr. Nazareth reported that as of May 1, 2018, the total PDMP Foundation assets are \$1,512,349.61 in Wells Fargo banking and brokerage accounts. This included \$4,413.30 in the checking account; \$51,517.63 in the Business Savings Account and \$1,456,418.68 in FDIC insured Certificates of Deposit and cash investments.

Of the funds in the Business Savings Account \$36,852.38 were restricted CVS/Caremark settlement-funds designated for future E-FORCSE operations and \$1,198.39 is the remainder of the Polk County Sheriff's Office restricted contribution for PDMP marketing and promotional programs.

The remainder of funds in the Business Savings Account are unrestricted monies and include the foundation's operating budget, interest earned on these accounts and current contributions. These funds total \$13,466.86.

The PDMP Foundation's brokerage account total includes \$1,249,567.50 in two one year \$250,000 CDs; two six month \$250,000 CDs and one 3-Month \$250,000 CD. It also includes \$206,851.18 in cash. The investment committee authorized Wells Fargo Wealth Brokerage Services to hold \$200,000 from a CD that matured in April in a cash account pending the decision of the Attorney General on the use of settlement funds for foundation programs.

2018-2019 Fiscal Budget

The acting chair then called on the treasurer for an update on the budget finances. He said that the Finance Committee and the Executive Committee have presented a fiscal budget for the next operating year beginning July 1 that includes projected unrestricted funds carried forward of approximately \$12,500. It also projects payment of \$3,000 in UBIT to the IRS which would be allocated from interest from investments and paid from the restricted account. The total proposed budget of \$66,670 currently has a deficit of \$51,170 which would need to be funded by the restricted settlement funds or other private funding or grants.

Executive Director's Report

Mr. Macdonald gave an update on his discussion with Deputy Attorney General Trish Conners relative to the foundation's recommendation to revise the current Memorandum of Understanding for use of CVS/Caremark Settlement Funds. He said he stressed that while the legislature has prohibited the settlement funds to be transferred to the Department of Health to fund E-FORCSE operations, that the monies could be used to implement specific tasks outlined under the PDMP Law. He concluded that the Attorney General's Office would review the foundation's request and make a determination if the settlement funds could be used as recommended to implement sections of Chapter 893.055, F.S. (15).

Mr. Macdonald then discussed the need for a PDMP online course. He mentioned that under the new Controlled Substance legislation adopted by the legislature and signed into law by the governor there were requirements for all DEA licensees to take a two-hour continuing education course on prescribing controlled substances. The board agreed that the majority of state and local healthcare associations would be offering courses to members so that they could comply with the CE requirement by the next biennial licensure period.

The executive director continued his report reminding the board that the foundation's annual report would be completed for distribution to the DOH in August. The report would include a copy of the PDMP Foundation's 990 Form for 2017.

Mr. Macdonald added that he and the treasurer would meet with CPA George Ponczek in the preparation of the IRS 990 Form. This would be done by July after the close of the fiscal year.

The executive director then discussed the need for an audit for FY 2017-2018. He said that based on the fact that the foundation did not raise over \$100,000 in contributions during the year that the DOH would probably not request an audit. The preparation of the annual report that includes the IRS 990 form has been accepted by the Department of Health in the past when an audit was not necessary.

He then reviewed the terms of current board members that were due to expire in July. He said that there would be four board positions open. Two of the vacancies were due to the resignations of Mr. Bowen and Ms. Bailey. The other two positions are those of Dr. Rosenthal and Dr. Vakil. He said that both directors were eligible for reappointment for two-year terms and had responded that they would be interested in reappointment. Mr. Macdonald said that he would work with the State Surgeon General's office on the reappointments.

Mr. Macdonald ended his report stating that by contract the board must seek recertification as a Direct Support Organization by the Department of Health. He would seek this approval from the department staff and report back at the annual meeting.

Report: Department of Health

Due to a conflict in their schedules the Department of Health had no representatives on the call. Mr. Macdonald said that he would contact Becki Poston, E-FORCSE program manager for an update on the status of new platform system's operation.

Review of the FY 2018-FY2019 Budget

The board of directors reviewed the budget as presented by the executive director, finance committee and executive committee. It agreed to present a deficit budget to the Department of Health pending a decision

by the Attorney General's Office for the use of the CVS/Caremark Settlement Funds to pay for foundation programs supporting the state PDMP.

Following discussion, Sheriff Nienhuis made the following motion which was seconded by Dr. Vakil:

MOVED, that the FY 2018-FY2019 Florida PDMP Foundation budget be approved and submitted to the Department of Health recommending adoption pending the Attorney General's determination on the use of CVS/Caremark Settlement Funds to implement foundation programs as outlined in Chapter 893.055 (15), F.S.

MOTION ADOPTED

Public Comments

The acting chair called for any public comments on foundation board activities. None were made.

Announcements

The acting chair then called for any announcements. None were made.

Date of Next Meeting

Mr. Macdonald said that the next meeting of the PDMP Foundation board of directors would be the annual meeting held in July. This would be a live meeting and is usually held in conjunction with a state healthcare association convention. Dr. Rosenthal offered her office in Hollywood for the meeting. The executive director said that he would work with the executive committee to provide alternative dates and locations for the meeting.

Adjournment

The PDMP Foundation Board of Directors conference call was adjourned at 6:33 p.m., Monday May 7, 2018.